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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,345	07/05/2005	Michael Anthony William Prior		7714

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JOHN V STEWART
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ORLANDO, FL 32810

EXAMINER

HAILEMARIAM, EMMANUEL

ART UNIT	PAPER NUMBER
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2629

MAIL DATE	DELIVERY MODE
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07/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/541,345

Applicant(s)PRIOR, MICHAEL ANTHONY
WILLIAM**Examiner**

Emmanuel Hailemariam

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/05/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16--19 and 21-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-19 and 21-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07/05/05 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>08/08/05 07/05/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Arrangement of the Specification

1. As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.

(b) CROSS-REFERENCE TO RELATED APPLICATIONS.

(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.

(d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.

(e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.

(f) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(g) BRIEF SUMMARY OF THE INVENTION.

(h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING (S).

(i) DETAILED DESCRIPTION OF THE INVENTION.

(j) CLAIM OR CLAIMS (commencing on a separate sheet).

(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if

the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Drawings

2. Figure 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim 25 and 27 are objected to because of the following informalities:

Claim 25 recites the limitation "stand proud" in line 1. "Stand proud" is better to say "bigger" or "larger" or "higher".

Claim 27 recites the limitation "the vowels" in line 2. "The vowels" should be "a vowels".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 17, 18, 19 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levy in view of Applicant's Admitted prior Art (AAPA), (Fig.1 and 2).

AS to claims 17 and 21, Levy discloses a data input system with which a user can input letters of an alphabet, comprising a keypad having an array of three columns and at least three rows of numeric keys (Page 20 lines 22-23, fig.2 and 27), and four further keys (Page 20 lines 29-31) each disposed between a respective four of the numeric keys such that the user can operate each of the further keys in combination with one or two of the respective four adjacent surrounding numeric keys.

Levy does not disclose decoding means operable to interpret operation of the further keys each in combination with one or two of the respective four surrounding numeric keys as representing respective letters of the alphabet.

However, AAPA discloses decoding means operable to interpret operation of the further keys each in combination with one or two of the respective four surrounding numeric keys as representing respective letters of the alphabet [0003].

It would have been obvious to one skill in the art at the time of the invention was made to use AAPA decoding means operable to interpret operation of the further keys each in combination with one or two of the respective four surrounding numeric keys as representing respective letters of the alphabet [see 0003].

As to claim 18, Levy discloses a data input system as claimed in claim 17, wherein the numeric keys are arranged to provide a different feel to the user than the further keys (fig.3a).

As to claim 19 Levy discloses a data input system as claimed in claim 17, wherein the decoding means is operable to interpret operation of the numeric keys as representing respective digits of the denary number system (fig.27).

As to claim 22, Levy discloses an electronic apparatus as claimed in claim 21, but does not expressly disclose the apparatus selected from the group consisting of a mobile telephone, a PDA and a computer.

AAPA, however, discloses that the apparatus is selected from the group consisting of a mobile telephone, a PDA and a computer [0003].

It would have been obvious to one skill in the art at the time of the invention was made to use AAPA apparatus, which is selected from the group consisting of a mobile telephone, a PDA and a computer. The reason for that would have been to enhance the keyboard and will allow the user to facilitate quick recognition and selection.

As to claim 23, AAPA discloses a data input system as claimed in claim 17, wherein each further key is arranged to be operable by the user in combination with one or two of the respective four adjacent surrounding numeric keys in a single operation, and the decoding means is operable to interpret such single operations of the keys as representing the letters of the alphabet [0003]

Claims 24- 27, are rejected under 35 U.S.C. 103(a) as being unpatentable over Levy (WO 00/44014) and AAPA in view of King et al (5,953,541).

As to claims 24 and 25, King discloses further keys are each smaller in area than each of the numeric keys (fig.8C and 8D); and wherein the further keys stand proud of the numeric keys (fig.1D), (fig.2 (54), col.9 lines 28-31).

As to claim 26, King discloses that the operation of the further keys is stiffer than operation of the numeric keys (fig.1D), (fig.2 (54), col.9 lines 28-31).

As to claim 27, King discloses wherein the numeric keys that are operable to represent the vowels of the alphabet are arranged in the same column or the same row of the array (fig.1C), col.3 lines 21-31).

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Hailemariam whose telephone number is 571-270-1545. The examiner can normally be reached on M-F 8:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on 571-272-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Emmanuel Hailemariam

07/23/07


AMARE MENGISTU
SUPERVISORY PATENT EXAMINER